1.00 P.M.

SHRI BHARATKUMAR RAUT (Maharashtra): Sir, I associate myself with the sentiments expressed by the hon. Member, Shri Manohar Joshi.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up the further discussion on the Jawaharlal Institute of Post-Graduate Medical Education and Research, Puducherry Bill, 2007. When the House adjourned on 05th December, 2007, the Vice-Chairman, after taking the sense of the House, had deferred the consideration of the Bill, Therefore, we are taking it up now.

GOVERNMENT BILL

The Jawaharlal Institute of Post-Graduate Medical Education and Research, Puducherry Bill, 2007

THE MINSTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS): Sir, I beg to move:

> "That the Bill to declare the Institution known as the Jawaharlal institute of Post-Graduate Medical Education and Research, Puducherry, to be an institution of national importance and to provide for its incorporation and matters connected therewith, be taken into consideration."

The Jawaharlal institute of Post-Graduate Medical Education and Research, Puducherry Bill, 2007, as you rightly said, was introduced for consideration and passing in the last Winter Session of Parliament. During the healthy discussions, a lot of Members had participated. Some of them had expressed their concerns about this Bill. And, at that point of time, taking the consideration of the House, through you, I said that I would get back to the hon. Prime Minister and the Cabinet and, make some changes and, then, bring it back to you. Rightly, Sir, I have taken into consideration all the concerns of the Members. I have accordingly made amendments in the Bill, The Cabinet has passed it. I request this august House to consider and pass this Bill unanimously since all the discussions have already taken place. It was a very healthy discussion. When the hon. Members will go through this amended Bill, they would know that all the considerations, like, the fee structure, the reservation issues, etc. have been taken into consideratiion. I request that the Bill be passed.

The question was proposed.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Thirunavukkarsar. Everybody will get 5 minutes each.

SHRI SU. THIRUNAVUKKARSAR (Madhya Pradesh): Sir, when this Bil was brought forward earlier on behalf of my party, the BJP, I had expressed my view points, as Mr. Narayansamy has told. I appreciate that the hon. Minister incorporated so many suggestions given by different parties. When it was brought all of a sudden to pass, last time in December, we and other party Members had strongly objected to it. So, it was further deferred. Now, it has again been brought after taking into consideration those suggestions. I am also a Member of the Committee on Health & Family Welfare. Whatever suggestions were given by the Committee, they have also been taken care of and included in the amended version of the Bill. But still, there are some apprehensions among the

employees who are working there. There are so many factors to express their concerns in this august House so that they are taken care of by the hon. Minister when the rules are framed. Of course, the rules should also be brought before both the Houses of Parliament. While framing rules, he has to take care of all the apprehensions. He has to address all those problems. First concern is with regard to group 'C' and 'D' employees. If they want to remain in the institute, they can remain there. Or if they want to go to the Central Government department, they can go there. But the time limit for this is one year. But if they want to remain in the institute, they can remains there. Or if they want to go to a Central Governemnt department, you have already included other benefits; they should not be transferred to far away distances, to different States, here and there. They should be retained in the State itself. If they are given appointment in the institute, they will remain there, But, if they have to go to a Central Government department, then, it is difficult for people from Puducherry to go to far away places like Assam or Bihar for placement. This is the first point.

The second point is regarding reservation for the students. Twenty seats have been reserved for the local students. You have made provision for that also. This provision was not there earlier, but, this time, it has been amended. When you increase the number of seats in future, accordingly, the number of reserved seats should also be increased. This point should also be incorporated in the Bill.

For starting fresh institutions, you have put a provision that 'A' nursing college or 'A' dental college can be started. Instead of that, it should be, "a few dental colleges or a few nursing colleges. In the Bill, it is mentioned, "In future, you can start 'A' dental college or 'A' nursing college." But, in regard to other institutes, hospitals and medical colleges, the word used is, "many". So, I request the Minister to amend this also. It should be, "A few dental colleges and a few nursing colleges." It can be amended in that way so that it gives freedom to the institute to start as many dental colleges and nursing colleges as possible in those areas.

Another important point is about fee structure. This hospital is known for giving the best treatment. Not only do the Puducherry people go there for treatment. But people seven from Kerala, Tamil Nadu and people from all other India also go there for treatment. There the treatment is available at free of cost. And treatment is given at cheaper cost also. ....(*Interruptions*)... This point should also be incorporated in the Bill...*(Interruptions)*... Pudukottai is in Tamil Nadu. ...(*Interruptions*)... I did not say that people come from Pudukottai alone. People from different States go there.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Come to the point. You have to conclude now.

SHRI SU. THIRUNAVUKKARASAR: Sir, he is diverting my attention.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He is doing it deliberately.

SHRI SU. THIRUNAVUKKARASAR: Sir, I seek your protection. Sir, free treatment should be given to people who are below the poverty line. Other people belonging to the weaker sections of the society should be given treatment at cheaper cost. This is another aspect that he has to take care of.

I now come to the point regarding fee structure. The fee structure should be at par with the fee structure of the other Government colleges. It should not be like other ..(*Time-bell*) ... (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude now.

SHRI SU. THIRUNAVUKKARASAR: Your have to take care of that point also.

Sir, I once again appreciate the Minister for bringing forward this Bill. Many sugestions were given by the BJP Members on that day. I also spoken on that day. Mr. Narayanasamy has now become a Minister. So, he did not get an opportunity to speak. Otherwise, he should have initiated the discussion. Last time, he spoke on this Bill. Many other hon. Members also spoke on this Bill. Everybody spoke at that time.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude now.

SHRI SU. THIRUNAVUKKARASAR: Sir, I again want to insist that if the number of seats is increasd in future, then, the number of reserved seats should also be increased accordingly, treatment should be given at cheaper rates, and the fee structure should be at par with other Government colleges. Most importantly, employees' welfare should be taken care of. Their fears and apprehensions should be removed by the Minister. And, accordingly, rules should be framed in future.

श्री बनवारी लाल कंछल (उत्तर प्रदेश): उपसभाध्यक्ष महोदय, मैं, जवाहरलाल स्नातकोत्तर आयुर्विज्ञान शिक्षा और अनुसंधान संस्थान, पुडुचेरी विधेयक पर समाजवादी पार्टी की तरफ से बोलने के लिए खड़ा हुआ हूं। अपनी बात रखने से पहले, मैं दो छोटे-छोटे संशोधन देना चाहता हूं। महोदय, इस विधेयक की धारा 16 की उप-धारा (2) में लिखा है कि निधि में जमा किया गया सभी धन ऐसे बैंकों में जमा या ऐसी रीति से निविहित किया जाएगा, जिसे संस्थान, केन्द्रीय सरकार की अनुमति से विनिश्चित करे। यह तो बहुत गलत बात है। वहां का अध्यक्ष किसी ऐसे छोटे-मोटे बैंक में, जिसमें उसका interest होगा, पैसा जमा कर देगा और ऐसे तमाम संस्थानों के उदाहरण आए हैं जिनका पैसा डूब गया है, इसलिए इसमें राष्ट्रीयकृत बैंक बढ़ाया जाए। पैसा वहां के राष्ट्रीयकृत बैंक में ही जमा किया जाए। किसी अन्य बैंक में नही जमा किया जाए। राष्ट्रीयकृत बैंक कोई भी हो सकते हैं, जो हमारे हिन्दुस्तान के 15, 16, 17, 18 बैंक हैं, उनमें से कोई भी राष्ट्रीयकृत बैंक हो सकते हैं। इसमें यह भूल रह गई है। अत: माननीय उपसभाध्यक्ष महोदय, इस भूल को अवश्य सुधार किया जाए।

उपसभाध्यक्ष महोदय, मैं एक और दूसरा सुझाव देना चाहता हूं, इस बिल में दो सांसदों को रखने की व्यवस्था की गई है, इसके लिए मैं स्वास्थ्य मंत्री जी को धन्यवाद देता हूं। परन्तु इसमें फिर इन्होंने घुमा फिरा कर राजनीति करने की बात कर दी है। एक सदस्य को लोक सभा का अध्यक्ष नामित करेगा और एक सदस्य को राज्य सभा का सभापति नामित करेगा। हम कहते हैं कि ऐसा क्यों किया गया, पुडुचेरी को स्थानीय लोक सभा का सदस्य इसमें नामित किया जाए और पुडुचेरी का ही स्थानीय राज्य सभा का सदस्य इसमें नामित किया जाए। अब इसमें राजनीति होगी और अपनी-अपनी पार्टी के लोगों को इसमें नामित किया जाएगा। मान लीजिए, आप महाराष्ट्र में हैं, तो महाराष्ट्र के किसी सांसद को वहां नामित कर देंगे और पुडुचेरी का जो उद्देश्य है, वह फेल हो जाएगा। महोदय, मैं आपसे निवेदन करना चाहता हूं कि लोक सभा और राज्य सभा के स्थानीय सदस्यों को इसमें नामित किया जाए। यह जो बिल लाया गया है, मैं इसका स्वागत करता हूं, यह बहुत अच्छा काम है, परन्तु अपना एक छोटा सा विचार रखना चाहता हूं। शैक्षिक और मेडिकल संस्थानों को राजनीति से अलग रखना चाहिए। पं० जवाहर लाल नेहरू जी के नाम पर इसको रखा गया है, मैं उनका भरपूर सम्मान करता हूं, परन्तु यदि संस्थान का नाम किसी डॉक्टर, वैज्ञानिक, शिक्षाविद या पुडुचेरी के किसी लेखक या कलाकार या चित्रकार के नाम से रखा जाता तो ज्यादा अच्छा होता। मैं आपके माध्यम से यह suggestion देना चाहता हूं कि इस पर पुनर्विचार किया जाना चाहिए और इसका नाम किसी शिक्षाविद, वकील या डॉक्टर के नाम से रखा जाना चाहिए। अरविंद घोष वहां के बहुत बड़े शिक्षाविद रहे हैं, उनके नाम से अगर यह कर दिया जाए तो बहुत अच्छा रहेगा, इसलिए इस पर पुनर्विचार किया जाना चाहिए।

उपसभाध्यक्ष महोदय, मैं आपके माध्यम से एक और सुझाव देना चाहता हूं, चाहे मेडिकल कालेज हो, चाहे IIM हो। हमारे देश की परंपरा रही है कि इनमें नाम शहरों के नाम पर रहे हैं, जैसे IIT कानपुर है, IIT रुड़की है, IIM बंगलौर है। अभी शिलौंग में एक IIM खोला गया है और उसका नाम मान्यवर राजीव गांधी जी के नाम पर रख दिया गया है। इसके कारण शिलौंग में नया विवाद पैदा हो गया है। मैं राजीव गांधी जी का बहुत सम्मान करता हूं, परन्तु वहां की

विधान सभा में रोष प्रकट किया गया है ...(**व्यवधान**)... वहां की विधान सभा में विरोध प्रकट किया गया है, इसलिए उसे उसके नाम से नहीं खोलकर, वहां के किसी विद्वान के नाम से या किसी प्रोफेसर के नाम पर या किसी डॉक्टर के नाम से खोला जाए तो बहुत अच्छा रहेगा। ...(**व्यवधान**)...

उपसभाध्यक्ष महोदय, यह बिल राज्य सभा में 05-12-2007 को भी आया था, उस समय हमारे नेता माननीय अमर सिंह जी ने यह कहा था कि जो मंत्री हैं, उनको अध्यक्ष के पद पर नहीं रखा जाना चाहिए और उनकी कमेटी में भी यह विचार रखा था। कमेटी में हम लोग इतनी मेहनत करते हैं, खून-पसीना एक करते हैं, तमाम कमैटियों के दौरे पर जाते हैं और उसमें सभी पार्टियों के सांसद होते हैं। अगर आप कमेटी के किसी भी विचार को नहीं मानेंगे, उसे दरकिनार कर देंगे और इतने अच्छे सुझाव को नहीं मानेंगें मंत्री संस्थानों में जाकर राजनीति करते हैं, वहां अनावश्यक हस्तक्षेप करते हैं, सरकार का हस्ताक्षेप कराते हैं। अभी AIIMS में क्या हुआ, वहां पर तमाम विवाद पैदा हुआ, चण्डीगढ़ में विवाद पैदा हुआ, ये केवल मंत्री के हस्तक्षेप के कारण पैदा हुआ, मैं इस बात का कड़ा विरोध करता हूं। मंत्री को ऐसे संस्थानों में किसी भी हालत में अध्यक्ष नहीं बनाया जाना चाहिए। हमारे नेता मुलायम सिंह जी यह बात कहते हैं, तमाम मंत्री से उन्होंने यह बात कही है। हमारे नेता अमर सिंह जी ने यह बात कही है और वह स्वास्थ्य कमेटी के Chairman हैं, उनके सुझाव को जरूर माना जाना चाहिए, लेकिन नहीं माना गया। आज भी आपने इस बिल में कहां amendment किया है, इस बिल में मंत्री ही अध्यक्ष हैं, इस बिल को पढ़ लीजिए ..(**व्यवधान**)...

DR. ANBUMANI RAMADOSS: It has already been amended.

श्री बनवारी लाल कंछल: इस बिल में तो यही आया है।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude.

श्री बनवारी लाल कंछल: अंत में, मैं आपको बहुत-बहुत धन्यवाद देता हूं कि आपने यह बिल लाया है। बहुत-बहुत धन्यवाद।

SHRIMATI BRINDA KARAT (West Bengal): Sir, I am happy that I have this occasion to support the Bill to make JMIPER an Institute of national importance, and I also have the occasion to congratulate the Health Minister for acepting the major amendments which I had moved in the last session. Sir, those were not my personal amendments. Those amendments came up as a result of the big struggle of the people of Puducherry and the academic community of Puducherry. Therefore, it was only a reflection of a joint effort of those in the Institute and the people of Puducherry who felt that the drafft which had been placed before Parliament in December would have actually taken away the uniqueness of this Institute in Puducherry.

Sir, there wer four major issues. The first was that today it is unique in the sense that it is open for the poor and it helps in providing medical service to them. I am very happy that the Minister has included that amendment in the Act itself and not just the rules. It is important. I have absolutely no question about the intentions of the Minister when he said in the last Session. "I will include all this in the Rules". I knew that as far as the Minister is concerned, there is no issue there, but the question it, it is our job to institutionalise the rights of the poor for access to medical treatement, and, that is why, Sir, I had insisted that it should come in the Act. The second point is, the people and the families of Puducherry have that benefit that they can get their children admitted into Puducherry at a much lower cost than in any of the other Institutes. It is important because we know now today that medical institutions and medical education cost so much money that it is very, very difficult for a bright student coming from a poor family to be able to access that education and, the efore, we were extermely concerned that this provision must be there. There was some legal opinion saying. 'No, it is not possible; if it is there, it is going to be struck down,etc." But I am really happy that today, I won't say a precedent, but, certainly, I will say that an example has

been set by the Minister by including this aspect of the local recruitment linked with the aspect of control of fees to those of other Central Institutions. Sir, both these things linked together will provide access to poorest sections of our people to enable them to get their children, who have been deprived through no fault of theirs but because of an exploitative system, have accest to higher education, higher medical education. Therefore, this is a very important aspect.

The other aspect, Sir, is that of employees' rights. We know that if we want sustained advancement of any insitution, it is extremely important to have the cooperation of the entire community of that institution. I was extremely concerned that the issues of the employees in the Institute may not have been protected in the earlier draft as they should have been. There was a penalty clause regarding the principles of natural justice for an employee to appeal against any punishment awarded to him. There was a wording and a formulation there, which may have been very damaging and could have caused a wrong precedent for the rights of the employees. That has been removed and it is also a fact that as far as the transfer or opting to the Central Government is concerned, the employees will have to study the rules before they take such a decision. Although it is a convention of Parliament that rules should be framed within six months of a Bill being enacted into law, we all know that sometimes it does take unfortunately a much longer than that period. Therefore, there is a provision here that within one year of the Act being enacted the employees will have to make his choice. I am sure that the Minister understanding the issue here make a provision in the rules that one year from the enactment of the rules the employees can make their choice. Therefore, Sir, I believe that this Bill is the result of the struggle of the Joint Action Commitee in Puducherry curring across Party lines and I am happy that I have been able to represent the views of that Committee and I am more than happy that the Ministry has displayed such a democratic spirit to take into account those views and not to stand on false prestige and to do what had to be done in favour of the institution. thank you, Sir.

SHRI SU. THIRUNAVUKKARASAR: Sir, ...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have already spoken. What is it?

SHRI SU. THIRUNAVUKKARASAR: Sir, I will only one minute. It is a small request before he gives an answer. Sir, there have been agitations in the past, last year, the year before the last, without knowing how this institute is going to come up, who will be the president, what is going to happen and so on.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): All right. Make your point.

SHRI SU. THIRUNAVUKKARASAR: So, certain disciplinary proceedings which had been initiated by the institute against the employees must be withdrawn. Secondly, if there are any cases filed by the State Government, I would request the Minister or the Central Government to instruct the State Government to withdraw the cases against the employees.

DR. ANBUMANI RAMADOSS: Sir, I would like to once again thank the hon. Members for expressing some of their concerns as well as for appreciating the efforts made by the Government to bring in this every important Bill. This had been wanting for a very long time. Nearly 40-50 years ago there was this recommendation that JIPMER should be brought on the statute.

Sir, all the concerns expressed by the hon. Member and my good friend, Shri Thirunavukkarasar, regarding employees have been taken into consideration. There were

concerns that the employees should not be transferred. We can only transfer the employees to places where there are Central Government institutions. But there are no Central institutions available. We shall definitely taken into consideration such practicalities.

Sir, I was born in Puducherry. We live close to the place. We are aware of the problems being faced by the people, the patients. People come in from all parts of the country. All issues are being taken into consideration. And, definitely, we will be taking a very positive approach towards setting right the issues and concerns of the employees as well. For reservations, as I have already said, for every 75 seats, 20 seats will be reserved. Also, commensurate with the increase there would be increase in the reservation which has already been incorporated; fee structure, free treatment, all that has been incorprated. As for the cases, let me look from cases to case and let us see how we could help out the issues.Shri Banwari Lal, mentioned about people from Puducherry being nominated and, in fact, it was his own leader in this House, Mr. Amar Singh, who was the Chairman of the Standing Committe, and had made the recommendation that it should be broad-based. Earlier, we had recommended that the local MP should be represented but the Standing Committee had recommended that it should be at the discretion of the Chairman as well as the Speaker. Nehru Institute's, it is not a new institute; it has been there all along. Since Pt. Jawaharlal Nehru was one of the best statesmen and pioneers of the nation, I am sure nobody would deem it otherwise and demand that the name should be changed. It is not a local institute; it is a national institute. So, there is no question of changing the name of the institute. You have talked about interference of the Government or the Minister. That is not to be. You can see for the last six months, how quitly the AIIMS has been functioning. So, today you know who was at fault!

Shrimati Brinda Karat had raised concerns about employees. I would like to thank her for bringing up the concerns of the employees as well as the Government. A lot of discussions have taken place at my level, my Secretary's level and at the level of officers. In fact, even some Members of Parliament, including Mr. Narayanasamy, had at their level, the Members of Lok Sabha had held them too. All of them were involved in discussions and certain concerns were expressed. We have now taken care of these concerns of Members of Parliament and I would like to request you, Sir, to move that the Bill be passed.

श्री बनवारी लाल कंछल: मंत्री जी, कृपया राष्ट्रीकृत बैंकों के बारे में बता दीजिए।

DR. ANBUMANI RAMADOSS: For the banks we have the Finance Ministry's regulations and we go according to them. We act according to the guidelines of the Finance Ministry.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the question is:

> "That the Bill to declare the institution known as the Jawaharlal Institute of Post-Graduate Medical Education and Research, Puducherry, to be an institution of national importance and to provide for its incoporation and matters connected therewith, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up clause-by-clause consideration of the Bill.

Clause 2 to 4 were added to the Bill.

THE VICE-CHAIRMAN (PROF P.J. KURIEN): We shall not take up clause 5. In clause 5, there are 12 amendments (Nos. 3 to 14) by the hon. Minister.

Clause 5- Composition of Institute.

DR. ANBUMANI RAMADOSS: Sir, I move:

7. That at page 2, line 16, be ***deleted.***
8. That at page 2, line 17, ***for*** the bracket and alphabet "*(b)*" the bracket and alphabet "*(a)*" be ***substituted.***
9. That at page 2, line 19, ***for*** the bracket and alphabet "*(c)*" the bracket and alphabet "*(b)*" be ***substituted.***
10. That at page 2, line 20, ***for*** the bracket and alphabet "*(d)*" the bracket and alphabet "*(c)*" be ***substituted.***
11. That at page 2, line 22, ***for*** the bracket and alphabet "*(e)*" the bracket and alphabet "*(d)*" be ***substituted.***
12. That at page 2, line 23, ***for*** the bracket and alphabet "*(f)*" the bracket and alphabet "*(e)*" be ***substituted.***
13. That at page 2, line 24, ***for*** the bracket and alphabet "*(g)*" the bracket and alphabet "*(f)*" be ***substituted.***
14. That at page 2, line 25, ***for*** the bracket and alphabet "*(h)*" the bracket and alphabet "*(g)*" be ***substituted.***
15. That at page 2, line 27, ***for*** the bracket and alphabet "*(i)*" the bracket and alphabet "*(h)*" be ***substituted.***
16. That at page 2, line 30, ***for*** the bracket and alphabet "*(j)*" the bracket and alphabet "*(i)*" be ***substituted.***
17. That at page 2, line 33, ***for*** the bracket and alphabet "*(k)*" the bracket and alphabet "*(j)*" be ***substituted.***
18. That at page 2, ***for*** lines 35 to 37, the following be ***substituted,*** namely:—

"*(k)* three Members of Parliament of whom two shall be elected from among themselves by the members of the House of the People and one from among themselves by the mambers of the Council of States."

The questions were put and the motions were adopted.
Clause 5, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up clause 6. In clause 6, there are 7 amendments (Nos. 15 to 21) by the hon. Minister.

Clause 6 - Term of office of, and vacancies among members.

DR. ANBUMANI RAMADOSS: Sir, I move:

19. That at page 2, line 41, ***after*** the word "nomination", the words "or election" be ***inserted.***
20. That at page 2, line 42, ***for*** the words, bracket and alphabet "nominated under clause (1)" the words bracket and alphabet "elected under clause (k)" be ***substituted.***
21. That at page 3, line 2, ***for*** the word "nominated", the word "elected" be ***substituted.***
22. That at page 3, line 5, ***after*** the word "nominated", the words "or elected" be ***inserted.***
23. That at page 3, line 6, ***after*** the word "nominated", the words "or elected" be ***inserted.***
24. That at page 3, ***for*** lines 7 to 9, the following be ***substituted,*** namely:—

"(5) An out-going member other than a member elected under clause (k) of sub-section (1) of section 5 shall continue in office until another person is nominated as member in his place or for a period of three months, whichever is earlier:

Provided that the Central Government shall nominate a member in place of an out-going member within the said period of three months".

25. That at page 3, line 10, ***after*** the word "re-nomination", the words "or re-election" be ***inserted.***

The questions were put and the motions were adopted.
Clause 6, as amended, was added to the Bill,

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall not take up clause 7. In clause 7, there is one amendment (No. 22) by the hon. Minister.

Clause 7-President of Institute, his powers and functions.

DR. ANBUMANI RAMADOSS: Sir, I move:

26. That at page 3, ***for*** lines 14 and 15, the following be ***substituted,*** namely:—

"7. (1) There shall be a President of the Institute who shall be nominated by the Central Government from among the members other than the Director of the Institute.

(2) The president shall exercise such powers and discharge such functions as are laid down in this Act or as may be prescribed."

The question was put and the motion was adopted.
Clause 7, as amended, was added to the Bill.
Clause 8 was added to the Bill.

THE VICE- CHAIRMAN (PROF. P.J. KURIEN): We shall now take up clause 9. In clause 9, there is one amendment (No. 23) by the hon. Minister.

Clause 9-Meetings of Institute.

DR. ANBUMANI RAMADOSS: Sir, I move:

27. That at page 3, line 22 ***after*** the words "transaction of business", the words "including quorum" be ***inserted.***

The question was put and the motion was adopted.
Clause 9, as amended, was added to the Bill.
Clause 10 was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up clause 11, In clause 11, there are 4 amendments (Nos. 24 to 27) by the hon. Minister

Clause 11-Staff of Institute

DR. ANBUMANI RAMADOSS: Sir, I move:

24. That at page 4, ***after*** line 4, the following be ***inserted,*** namely:—

"(3) The Director shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

25. That at page 4, line 5 ***for*** the bracket and figure '(3)", the bracket and figure "(4)" be ***substituted.***

26. That at page 4 line 8, ***for*** the bracket and figure "(4)," the bracket and figure "(5)" be ***substituted.***

27 That at page 4, line 12 ***for*** the bracket and figure "(5)", the bracket and figure "(6)" be ***substituted.***

The questions were put and the motions were adopted
Clause 11, as amended, was added to the Bill
Clause 12 was added to the Bill

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): We shall now take up clause 13. In clause 13, there are 4 amendments (Nos. 28 to 31) by the hon Minister

Clause 13-Functions of Institute

DR ANBUMANI RAMADOSS: Sir, I move

28 That at page 5, ***for*** line 18, the following be ***substituted***, namely:-

"(*l*) demand and receive with the prior approval of the Central Government such fees and other charges as may be specified

Provided that such fees and other charges payable by the students shall in no case exceed the fees and other charges specified by a medical institute of the Central Government,

(*m*) reserve at least twenty seats out of every seventy-five seats in undergraduate courses in the institute for local applicants,

(*n*) provide free treatment to the poor patients in the same manner as are being provided by a medical institute of the Central Government "

29 That at page 5, line 19, ***for*** the bracket and alphabet "(m)", the bracket and alphabet "(o)" be ***substituted***

30 That at page 5, line 21, ***for*** the bracket and alphabet "(n)", the bracket and alphabet "(p)" be ***substituted.***

31 That at page 5, line 23, ***for*** the bracket and alphabet "(o)", the bracket and alphabet "(q)" be ***substituted.***

The questions were put and the motions were adopted
Clause 13, as amended, was added to the Bill
Clauses 14 to 25 were added to the Bill

The VICE-CHAIRMAN (PROF P J KURIEN): We shall now take up Clause 26 In clause 26, there is one amendment (No 32) by the hon. Minister.

Clause 26-Resolution of differences

DR. ANBUMANI RAMADOSS: Sir, I move:

32. That at page 7, line 4, the words "or difference" be *deleted*

The question was put and the motion was adopted
Clause 26, as amended, was addded to the Bill.
Clause 27 was added to the Bill

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up Clause 28. In clause 28, there is one amendment (No. 33) by the Hon. Minister.

Clause 28-Transfer of service of existing employees

DR. ANBUMANI RAMADOSS: Sir, I move:

That at pages 7 and 8, ***for*** lines 8 to 49 and 1 to 32 respectively, the following be ***substituted***, namely:-

"***28.*** (*1*) On and from the date of commencement of this Act, every employee holding a post in the Jawaharlal Institute of Post Graduate Medical Education and Research, Puducherry, before that date, shall hold the post in the Instutite by the same tenure, and upon the same terms and conditions of service including remuneration, leave provident fund, retirement and other terminal benefits as he would have held such post as if this Act had not been passed and shall continue to do so as an employees of the Institute for a period of one year from the date of the commencement of this Act, unless he, within the said period of one year, opts not to be an employee of the Institute or until his tenure, remuneration or other terms and conditions of service are duly altered by the regulations:

Provided that the officers of the Jawaharlal Institute of Post Graduate Medical Education and Research, Purducherry belonging to the Central Health Service, who opts to be an employee of the Institute then, his appointment, pay allowances and other terms and conditions of service shall be such as may be prescribed.

(2) Every person, who opts not to be an employee of the Institute within the period so specified, shall be governed by the rules and orders as are applicable to the Central Government Officers and employees of equivalent rank.

(3) Subject to the provisions of this section, the tenure, remuneration and other terms and conditions of service including pension of any employee of the Institute shall not be alterned to his disadvantage without the previous approval of the Central Government."

The question was put and the motion was adopted.
Clause 28, as amended, was added to the Bill

Clause 29- power to make rules

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up clause 29. There is one amendment (No. 34). Hon. Minister to move the amendment.

DR. ANBUMANI RAMADOSS: Sir, I move:

34. That at page 8, ***for*** lines 33 and 34, the following be ***substituted***, namely:-

"29. (1) the Central Government, after consultation with the Institute, may by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that consultation with the Institute, shall not be necessary on the first occasion of making of rules under this section, but the Central Government shall take into consideration the suggestions which the Institute may make in relation to the amendment of such rules after they are made."

The question was put and the motion was adopted.
Clauses 29, as amended, was added to the Bill.
Clause 30-32 were added to the Bill.

CLAUSE 1

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) Now, we shall take up clause 1. There is one amendment (No. 2). Hon. Minister to move the amendment.

DR. ANBUMANI RAMADOSS: Sir, I move:

2. That at page 1, line 3, ***for*** the figure "2007", the figure "2008" be ***substituted.***

The question was put and the motion was adopted.
Clause 1, as amended, was added to the Bill.

ENACTING FORMULA

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) Now, we shall take up the Enacting formula. There is one amendment (No. 1). Hon. Minister to move the amendment.

DR. ANBUMANI RAMDOSS: Sir, I move:

1. That at page 1, line 1 ***for*** the word "Fifty-eighth," the word "Fifty-ninth" be ***substituted.***

The question was put and the motion was adopted.
The Enacting Formula, as amended, was added to the Bill.
The Title was added to the Bill.

DR. ANBUMANI RAMADOSS: Sir, I move:

"That the Bill, as amended, be passed."

The question was put and the motion was adopted

The VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the House is adjourned till 2.30 p.m.

The House then adjourned for lunch
at thirty-two minutes past one of the clock.